

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

MICHAEL THOMAS MCLEMORE

PETITIONER

vs.

CIVIL ACTION No.: 3:21-CV-820-HTW-LGI

WARDEN P. BOULET

RESPONDENT

ORDER ADOPTING REPORT AND RECOMMENDATION

BEFORE THIS COURT is the Report and Recommendation of United States Magistrate Judge LaKeysha Greer Isaac [**Docket no. 8**]. In her Report and Recommendation, filed on September 29, 2023, Magistrate Judge Isaac recommended that Petitioner Michael Thomas McLemore's petition be dismissed for lack of exhaustion. Magistrate Judge Isaac directed the parties to file any objections to her recommendation within fourteen (14) days.

Facing no objection to a motion for additional time to file his objections, Petitioner filed his Objection to the Report and Recommendation on November 9, 2023 [Docket no. 12]. On November 16, 2023, Respondent filed his Response [Docket no 13]. Petitioner, thereafter, filed his Reply to the Response on January 8, 2024 [Docket no. 15]. This Court has reviewed thoroughly all submissions from the parties.

Based upon the findings and recommendation contained in the Report and Recommendation [**Docket no. 8**], this court finds it well-taken. Magistrate Judge Isaac carefully considered the submissions of the parties, the record, and relevant law, and crafted a well-versed Report and Recommendation. Therefore, this court hereby ADOPTS the Report and Recommendation of the Magistrate Judge as the order of this court.

IT IS THEREFORE ORDERED THAT the Petitioner Michael Thomas McLemore's Petition for Writ of Habeas Corpus [Docket no. 1] hereby is **DISMISSED** without prejudice for lack of exhaustion.

SO ORDERED this the 9th day of April, 2024.

/s/HENRY T. WINGATE
UNITED STATES DISTRICT COURT JUDGE